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DEPARTMENT OF EDUCATION
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04333-0023

JOHN ELIAS BALDACCI
GOVERNOR

SUSAN A. GENDRON
COMMISSIONER

October 6, 2008

Damon Russell
Wells-Ogunquit CSD School Committee
PO Box 578
Wells, ME 04090

Dear Mr. Russell:

I am writing in response to your letter of September 19, 2008 requesting that I approve the Wells-Ogunquit CSD's proposal to file an alternative plan and reiterating the reasons you believe an alternative plan for your school administrative unit (SAU) would be appropriate.

The Reorganization Team and I have reviewed your letter, as well as previous submissions, and I am not able to approve your request to file an alternative plan.

The declared policy of the reorganization law passed by the Legislature and identified in the language of the legislation itself [20-A MRSA §1451] includes: creating equitable educational opportunities for all students; the efficient use of limited resources to achieve long-term sustainability; and effective use of public funds for public schools, among others. I do not believe that an alternative plan for Wells-Ogunquit CSD is consistent with these and other goals of the law that I support and am required to uphold.

In addition, I have a responsibility to meet the law's intent to reduce the number of school administrative units in the state from 290 to 80. Thus, in the absence of obvious grounds for an alternative plan, I am making every effort to exhaust every possibility, statewide, for reorganization.

Wells-Ogunquit has made two arguments in support of its request to file an alternative plan: one is that the CSD should qualify as a "doughnut hole" under section 6(A)(7) in P.L. 2007, Chapter 240, Part XXXX-36; and the other is that the unit meets one of the requirements to file an alternative plan, namely Part XXXX-36, section 2(B)(3).

I do not believe that Wells-Ogunquit meets the legal criteria to qualify either as a "doughnut hole" or for an exception to the 2,500 student requirement on the grounds that expansion of the unit would be inconsistent with the policies set forth in section 1451 of

the law. First, in my view, Wells-Ogunquit still has options for reorganization in the region and is therefore not a “doughnut hole.” While the SAUs immediately surrounding Wells-Ogunquit CSD are pursuing plans that do not include the CSD, there are proximate, though not contiguous, units that could make for reorganization partners. While some streamlining – most notably in transportation – would be harder to achieve with these units, it seems that the units have dismissed such a configuration on the basis that no savings can be achieved. However, there are existing and proposed school units around the state where the distance from one end of the unit to the other is far greater than the distance from the far ends of Wells and Kittery. The current MSAD 17 (Norway) is one example. The proposed RSU in the St. John Valley will be almost three times bigger end-to-end than Wells-Ogunquit and Kittery would be. Several of these larger units that have submitted reorganization plans have been able to document areas of proposed savings, in some cases even in the first year.

In addition, at least one other group of non-contiguous SAUs – Monmouth, MSAD 16, Richmond and Dresden – has put forth a successful reorganization plan that presents both educational opportunities and savings. The voters in those communities overwhelmingly supported the plan (79% approval). I firmly believe that if Wells-Ogunquit and Kittery would delve more deeply into the possible savings and opportunities for streamlining, they would find that even these two non-contiguous units could find new educational opportunities and possible savings, as well.

I recognize that Wells-Ogunquit had discussions early in the reorganization process with MSAD 71 and Arundel, as well as with York School Department. The communities determined that, because of the way the law was written, the communities would experience a cost-shift, with Wells-Ogunquit assuming a greater share of the costs. Many communities around the state found they too would be subject to similar cost shifts, and the Legislature enacted changes to the law in Spring 2008 that would allow reorganizing units to develop cost-sharing formulas of their own that would compensate for any shifts. Numerous school systems around the state have since re-opened conversations and developed new cost-sharing formulas that hold all the communities relatively harmless. Until very recently, MSAD 71 and Arundel were still involved in the creation of their cost-sharing formula and it would not have been unreasonable for them to consider adding additional communities into the mix. Even with the recent submission of a reorganization plan by those two communities, the details of the formula and other aspects of the plan remain a work in progress. I believe that if the units involved are truly interested in forming a partnership or a reorganized unit, they could do so; at the very least, more conversations and more productive ones on the issue of cost-sharing could take place. Facilitators from the Department, in particular Jake Clockedile, have helped regions understand the cost-sharing options and find ways to make them work for the SAUs involved.

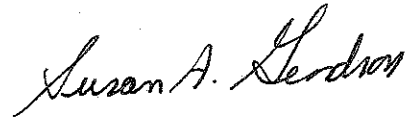
I note that even at this late stage, communities without approvable configurations are continuing to work toward goals consistent with the intent of the law. MSAD 44 (Bethel) and the SAUs in the Rangeley area have recently opened reorganization planning discussions; and a group of citizens in Acton, which is surrounded by

communities with approved alternative plans, is advocating for its community to open conversations with the Sanford School Department.

With respect to your second argument, I do not see how any of the factors you have presented demonstrate that the expansion of the unit would be inconsistent with the intent and underlying policy of the reorganization law.

The Department renews its offer to provide a facilitator at the Department's expense to assist in planning and conducting your discussions with potential partners. If you need assistance as you proceed, please contact Ray Poulin or Norm Higgins of our Reorganization Team for more information. They may be reached at 624-6802. You may also wish to view examples of other planning activities ongoing around the state, including copies of the plans, on our extensive reorganization website, www.maine.gov/education/reorg.

Sincerely,

A handwritten signature in cursive script that reads "Susan A. Gendron".

Susan A. Gendron
Commissioner of Education

cc: Edward McDonough, Superintendent, Wells-Ogunquit CSD
Sen. Peter Bowman
Sen. Richard Nass
Rep. Kathleen Chase
Rep. Dawn Hill